

timer circuit electrically connected between an external power source and said rechargeable batteries, wherein said timer circuit stops the charging of the batteries after a programmed amount of time.

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Claim 12 (new): An LED lighting and flashing apparatus as in Claim 7, further comprising a blocking diode, wherein said blocking diode prevents current from an external power source from going to said LEDs while the LEDs are illuminated.

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REMARKS

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Applicant has cancelled Claims 1-6 in view of the objections by the Examiner. Applicant has amended his Specification to correct an obvious typographical error at line 20, Page 4 of the Specification.

20 **Applicant submits new claims 7-12 to distinguish his invention from the invention set out in the Reiff patent.**

Support for the new limitations in Claims 7-12 is found in the original Specification.

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New Claim 7 now claims a device that has two sets of LED lights, a first set of constantly illuminated LED lights and a second set of LED lights connected to a flashing circuit. This structure was set out in the Specification on Page 4 at lines 17-27. The Specification described LED lights that could be energized by a first switch. The Specification also described a second switch 10 connected to “a solid-state flasher” and to “some” of the LEDs.

The solid state-circuit “pulses some of the LEDs at a [programmed] rate.” The Specification also set out that the flashing circuit could include a “strobe,” a “linear flashing,” or a “chasing” visual effect. The visual effects produced by the solid-state flasher are now claimed in new Claims 8, 9, and 10, which depend from claim 7.

Also unique to the invention is the timer circuit used to stop the charging of the batteries as determined by the user. This timer circuit is not present in the Reiff description and adds a new and novel feature to an LED illumination device. This limitation is set out in new Claim 11. Support for the language found in new Claim 11 is found in the original Specification at Page 4, lines 1-7.

New Claim 12 includes the limitation that the device must also have a blocking diode to maximize the energy efficiency of the device. The operation of this blocking diode is found in the original specification on Page 4, lines 11-15.

The Examiner cited the 2002 United states patent issued to Reiff stating that Reiff taught a long clear body, an internal circuit board with LED lights, a rechargeable battery and “two switch means (44 in Fig. 1) to provide for illumination of a plurality of the LEDs.” The

5 **Examiner also argued that the hook means or magnet means were also disclosed in the Reiff patent. The Applicant concedes that the hook and magnet means for attaching may not be novel. However, Applicant has amended his Claims to add limitations to distinguish the instant invention over the teachings and disclosures of Reiff.**

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Reiff describes a light using LEDs but does not include many of the features set out and now claimed by applicant. The Reiff device has only two modes of illumination: ON and OFF. While Reiff does disclose two switches, as here, his switches perform different functions and do

15 **not teach or even suggest the functions of using two switches to illuminate two sets of LED lights, one constantly and another as a flasher. Reiff, at Para 0061 states, “Each source of light, fluorescent lamp 28 and LEDs 2, are independently operable by a pair of switches 44 located in handle 24.” Clearly, Reiff is disclosing that a first switch**

20 **energizes all of his LEDs simultaneously and that a second switch may independently energize a second, fluorescent light. Reiff teaches the illumination of all of the LED lights, not the selective illumination of LED lights in a flashing circuit.**

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The switches described in Reiff do not suggest or in any way anticipate the use of two switches for two sets of LEDs to create special and unique visual effects. The special visual effects (strobing, linear

flashing or chasing) taught by the invention disclosed in the instant application make the light herein useful for highway emergency or other situations not contemplated or suggested by Reiff.

5 **For example, Reiff discussed his switches at several other parts of his disclosure. At Para 0063, Reiff describes his switch 94 (Figure 3) “to supply current to each circuit board 78 and 84 and thus LEDs 20.” However, Figure 3 refers to two circuit boards that are right angles to each other and that are each constantly illuminated. Nowhere in the**
10 **Reiff Specification is it taught that the LEDs may strobe, flash or chase.**

The work light embodiment of Reiff (Figure 6) described in Paragraphs 0065-0067 has a switch 156 “electrically linked to circuit board 140 via wire 164.” Once again, this switch is merely an ON/OFF
15 **switch.**

Similarly, the switch 368 shown in Figure 25 of Reiff is described in Paragraph 0081 as an “On/off switch 368.”

20 **Reiff also described a different design for the casing of his LED light at Paragraph 0087, Figure 29. This switch 426 is, once again, an “ON/OFF” switch.**

Reiff set out a number of distinctive features of his LED light,
25 **none of which suggested or anticipated the features of the instant application. All of Reiff’s switches are simple ON/OFF switches. Reiff teaches a skinny light (Para 0072); focused and non-focused LED lights**

(Para 0053 and 0055); convex lenses for the LEDs (Para 0058); an explosion-proof flashlight (Para 0071, Fig. 10); a light with a flexible neck (Para 0076, Fig. 17); and a flat panel light for a shed (Para 0079, Fig. 21). Reiff does not, however, teach or suggest that the LED lights be illuminated separately or that fewer than all (“some”) of the LEDs be connected to a flasher circuit to create different visual effects such as a strobe, linear flashing or chasing effect. In view of the extensive variations and disclosures of the Reiff application, it cannot be said that any of the features created by the instant Inventor (flashing circuitry, timer, blocking diode) and set out in the instant Specification are suggested or would have been obvious to one with normal skill in the art.

In contrast to the disclosures of Reiff, Applicant set out several new and unique features for an LED light in his Original specification, including several different types of flashing circuits, a timer circuit and a blocking diode. These unique features are now the subject of Claims 7-12.

Reiff’s Specification covered many variations of LED lights, from stationary lights, to lights for garages to lights that having flexible necks for barrels. However, Reiff does not teach or suggest the use of flashing circuits, timers for the recharging circuit or a blocking diode to prevent the regulated current from going to the batteries when the LEDs are illuminated. (The “blocking diode 494” of Reiff is used to more quickly charge the batteries as described in Reiff, Para 0090.) Reiff neither

teaches directly or suggests the features set out in new Claims 7-12 of the instant application.

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CONCLUSION

10 **Applicant has cancelled Original Claims 1-6. Applicant has amended his application to include new Claims 7-12 which remain pending in this application. Applicant submits that the features set out as limitations in new Claim 7 (two switches to operate two sets of LEDs, a flashing circuit to create special visual effects and a means to bypass**
15 **the flashing circuit to illuminate all of the LEDs) is new, unique and non-obvious and is patentably distinct from the Reiff patent.**

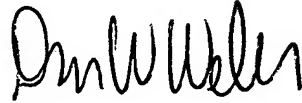
Dependent Claims 8, 9 and 10 (with added limitations of a strobe, linear flashing or chasing visual effects, respectively) also distinguish the instant invention over the prior art.

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The timer circuit of new Claim 11 is new, unique and non-obvious, as is the blocking diode set out in new claim 12.

Applicant hereby respectfully request that his Application be reviewed and that Claims 7-12 be allowed.

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A handwritten signature in black ink, appearing to read "Don W. Weber". The signature is fluid and cursive, with the first name "Don" being the most prominent.

Don W. Weber

Attorney for Applicant